

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
 BRIAN C. TARBOX ET AL.) Examiner: Ella Colbert
 Application No.: 10/073,632) Group Art Unit: 3624
 Filed: February 11, 2002) Confirmation No.: 6664
 For: SYSTEMS AND METHODS FOR)
 IMPROVING INVESTMENT)
 PERFORMANCE) November 2, 2004

Mail Stop Amendment
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56 and in accordance with the practice under 37 C.F.R. §§ 1.97 and 1.98, the Examiner's attention is directed to the documents listed on the enclosed Form PTO/SB/08B.

FORMAL MATTERS

In accordance with 37 C.F.R. § 1.97(c), an information disclosure statement shall be considered by the Office if filed after the period specified in paragraph (b) of this section, provided that the information disclosure statement is filed before the mailing date of any of a final action under § 1.113, a notice of allowance under § 1.311, or an action that otherwise closes prosecution in the application, and it is accompanied by

one of: (1) The statement specified in paragraph (e) of this section; or (2) The fee set forth in § 1.17(p).

Therefore, the Commissioner is hereby authorized to charge Deposit Account No. 50-1710 the fee of \$180.00 which is set forth in § 1.17(p). Also, the Commissioner is authorized to charge any additional fees which may be deemed to be appropriate or to provide any refunds in connection with this paper to the same Deposit Account.

CONCLUSION

It is respectfully requested that the above information be considered by the Examiner and that a copy of the enclosed Form PTO/SB/08B be returned indicating that such information has been considered.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202)-625-3500. All correspondence should continue to be directed to our address given below.

Respectfully submitted,



Attorney for Applicant
Richard P. Bauer
Registration No. 31,588

PATENT ADMINISTRATOR
KATTEN MUCHIN ZAVIS ROSENMAN
525 West Monroe Street
Suite 1600
Chicago, Illinois 60661-3693
Facsimile: (312) 902-1061

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

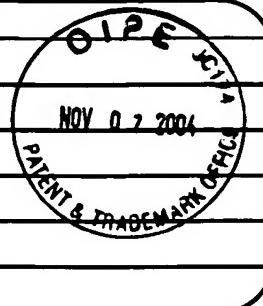
Complete if Known

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Application Number	10/073,632
Filing Date	February 11, 2002
First Named Inventor	Brian C. Tarbox
Art Unit	3624
Examiner Name	Ella Colbert

Sheet 1 of 1 Attorney Docket Number

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		ROGER G. IBBOTSON, ET AL., "Does Asset Allocation Policy Explain 40, 90, or 100 Percent of Performance, Financial Analysts Journal, January/February 2000, pages 26-33.	
		EMILY S. ANDREWS, "The Growth and Distribution of 401(k) Plans" chapter 8 from Trends In Pensions 1992: U.S. Department of Labor; Pension and Welfare Benefits Administration, 1992, pages 149-176.	
		JAYNE ZANGLEIN, "Investment Without Education: The Disperate Impact on Women and Minorities In self-Directed Defined Contribution Plans", Employee Rights and Employment Policy Journal, Vol 5, number 1, 2001, pages 223-272.	
		RONI MICHAELY and KENT WOMACK, "Conflict of Interest and the Credibility of Underwriter Analyst Recommendations", February 1999	
		JAMES M. POTERBA, ET AL., 401(k) Plans and Tax-Deferred Saving, Studies in the Economics of Aging, 1994, pages 105-142	
		JENNIFERE FRIGHETTO, "Automatically Enrolling Employees in 401(k) Plan Not A Cure All" [online], Hewitt press release, July 17, 2000 [retrieved on March 21, 2004], <URL address http://www.hewittasia.com/hewitt/ap/resource/newsroom/pressrel/2000/07-17.html>	
		BRIGITTE MADRIAN and DENNIS SHEA, "The Power of Suggestion: Inertia in 401(k) Participation and Savings Behavior", April 17, 2000	
		WILLIAM F. BASSETT, MICHAEL J. FLEMING AND ANTHONY P. RODRIGUES, "How Workers Use 401(k) Plans: The Participation, Contribution, and Withdrawal Decisions," National Tax Journal 51, no. 2 (June 1998): 263-89.	
		"Building Futures: Volume II: A Report on Corporate Defined Contribution Plans" Fidelity Investments Institutional Services, Inc., 1999	
		OLIVIA S. MITCHELL and JAMES F. MOORE, "CAN AMERICANS AFFORD TO RETIRE? NEW EVIDENCE ON RETIREMENT SAVING ADEQUACY", The Journal of Risk and Insurance, 1998, vol. 65, No.3, pages 371-400	

Examiner Signature	Date Considered
--------------------	-----------------

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.